

ASSEMBLY BILL NO. 583—COMMITTEE ON JUDICIARY

(ON BEHALF OF DEPARTMENT OF HUMAN RESOURCES—DIVISION
OF CHILD AND FAMILY SERVICES)

MARCH 26, 2001

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing administration of grants from account for aid for victims of domestic violence. (BDR 16-537)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to assistance to victims of domestic violence; transferring the duty to administer the account for aid to victims of domestic violence from the administrator of the division of child and family services of the department of human resources to the director of the department or a person designated by the director; authorizing the director to use money in the account to pay the administrative expenses associated with awarding grants from the account; eliminating the duty of the commission on mental health and developmental services to render advice concerning the award of such grants; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 217.400 is hereby amended to read as follows:
2 217.400 As used in NRS 217.400 to 217.475, inclusive, unless the
3 context otherwise requires:
4 1. “Dating relationship” means frequent, intimate associations
5 primarily characterized by the expectation of affectional or sexual
6 involvement. The term does not include a casual relationship or an ordinary
7 association between persons in a business or social context.
8 2. ~~“Division” means the division of child and family services of~~
9 ~~“Department” means the department of human resources.~~
10 3. ***“Director” means the director of the department or a person***
11 ***designated by the director.***
12 4. “Domestic violence” means:



1 (a) The attempt to cause or the causing of bodily injury to a family or
2 household member or the placing of the member in fear of imminent
3 physical harm by threat of force.

4 (b) Any of the following acts committed by a person against a family or
5 household member, a person with whom he had or is having a dating
6 relationship or with whom he has a child in common, or upon his minor
7 child or a minor child of that person:

8 (1) A battery.

9 (2) An assault.

10 (3) Compelling the other by force or threat of force to perform an act
11 from which he has the right to refrain or to refrain from an act which he has
12 the right to perform.

13 (4) A sexual assault.

14 (5) A knowing, purposeful or reckless course of conduct intended to
15 harass the other. Such conduct may include, without limitation:

16 (I) Stalking.

17 (II) Arson.

18 (III) Trespassing.

19 (IV) Larceny.

20 (V) Destruction of private property.

21 (VI) Carrying a concealed weapon without a permit.

22 (6) False imprisonment.

23 (7) Unlawful entry of the other's residence, or forcible entry against
24 the other's will if there is a reasonably foreseeable risk of harm to the other
25 from the entry.

26 ~~14-1~~ 5. "Family or household member" means a spouse, a former
27 spouse, a parent or other adult person who is related by blood or marriage
28 or is or was actually residing with the person committing the act of
29 domestic violence.

30 ~~15-1~~ 6. "Participant" means an adult, child or incompetent person for
31 whom a fictitious address has been issued pursuant to NRS 217.462 to
32 217.471, inclusive.

33 ~~16-1~~ 7. "Victim of domestic violence" includes the dependent children
34 of the victim.

35 **Sec. 2.** NRS 217.410 is hereby amended to read as follows:

36 217.410 In a county whose population is 400,000 or more, the
37 ~~administrator of the division~~ **director** shall allocate 15 percent of all
38 money granted to organizations in the county from the account for aid for
39 victims of domestic violence to an organization in the county which has
40 been specifically created to assist victims of rape. The ~~administrator of the~~
41 ~~division~~ **director** has the final authority in determining whether an
42 organization may receive money pursuant to this ~~subsection~~ **section**. Any
43 organization which receives money pursuant to this ~~subsection~~ **section**
44 shall furnish reports to the ~~administrator of the division~~ **director** as
45 required by NRS 217.460. To be eligible for this money, the organization
46 must receive at least 15 percent of its money from sources other than the
47 Federal Government, the state, any local government or other public body
48 or their instrumentalities. Any goods or services which are contributed to



1 the organization may be assigned their reasonable monetary value for the
2 purpose of complying with this requirement.

3 **Sec. 3.** NRS 217.440 is hereby amended to read as follows:

4 217.440 1. An account for aid for victims of domestic violence is
5 hereby created in the state general fund. The account must be administered
6 by the ~~{administrator of the division}~~ **director**. *The director may use not*
7 *more than 5 percent of the money available in the account in any fiscal*
8 *year to pay for such administrative expenses as are necessary to carry out*
9 *the provisions of NRS 217.400 to 217.460, inclusive, including, without*
10 *limitation:*

11 (a) *Evaluating applications for grants from the account and*
12 *determining the appropriate awards.*

13 (b) *Conducting financial reviews of organizations that have received*
14 *grants from the account and evaluating the effectiveness of the programs*
15 *offered by such organizations, including, without limitation, expenses*
16 *necessary for visiting the sites at which such programs are offered.*

17 (c) *Providing appropriate training concerning issues related to*
18 *domestic violence and sexual assault to those employees of the*
19 *department who manage and monitor the grants from the account.*

20 2. Any nonprofit organization in the state which is able to meet the
21 requirements specified in subsection 7 of NRS 217.420 may apply for a
22 grant from the account for aid for victims of domestic violence.

23 3. An application for a grant must be received by the ~~{division}~~
24 **department** before April 1 preceding the fiscal year for which the grant is
25 sought.

26 **Sec. 4.** NRS 217.445 is hereby amended to read as follows:

27 217.445 No organization in a county whose population is less than
28 100,000 which receives a grant from the account for aid for victims of
29 domestic violence may expend that money until its budget for using the
30 money is approved by the ~~{division}~~ **director**.

31 **Sec. 5.** NRS 217.450 is hereby amended to read as follows:

32 217.450 1. The ~~{commission on mental health and developmental~~
33 ~~services shall advise the administrator of the division concerning the award~~
34 ~~of grants from the account for aid for victims of domestic violence.~~

35 ~~2. The administrator of the division~~ **director** shall give priority to
36 those applications for grants from the account for aid for victims of
37 domestic violence submitted by organizations which offer the broadest
38 range of services for the least cost within one or more counties. The
39 ~~{administrator}~~ **director** shall not approve the use of money from a grant to
40 acquire any buildings.

41 ~~{3. The administrator of the division}~~

42 **2. The director** has the final authority to approve or deny an
43 application for a grant. The ~~{administrator}~~ **director** shall notify each
44 applicant in writing of the action taken on its application within 45 days
45 after the deadline for filing the application.

46 ~~{4.}~~ **3.** In determining the amount of money to be allocated for grants,
47 the ~~{administrator of the division}~~ **director** shall use the following formula:

48 (a) A basic allocation of \$7,000 must be made for each county whose
49 population is less than 100,000. For counties whose population is 100,000



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1 or more, the basic allocation is \$35,000. These allocations must be
2 increased or decreased for each fiscal year ending after June 30, 1990, by
3 the same percentage that the amount deposited in the account during the
4 preceding fiscal year, pursuant to NRS 122.060, is greater or less than the
5 sum of \$791,000.

6 (b) ~~Any~~ *Except as otherwise provided in NRS 217.440, any*
7 additional revenue available in the account must be allocated to grants, on
8 a per capita basis, for all counties whose population is 14,000 or more.

9 (c) Money remaining in the account after disbursement of grants does
10 not revert and may be awarded in a subsequent year.

11 **Sec. 6.** NRS 217.460 is hereby amended to read as follows:

12 217.460 1. Each organization which has received a grant for
13 assistance to victims of domestic violence shall furnish quarterly and
14 annual financial reports to the ~~administrator of the division~~ *director* in a
15 manner which the ~~administrator~~ *director* may prescribe.

16 2. The ~~administrator~~ *director* shall review the reports from the
17 organizations, compile the information contained in them about the
18 individual programs for assistance to victims of domestic violence, conduct
19 a financial review of all expenditures, and make a comprehensive report
20 biennially to the legislature, including ~~an~~ *, without limitation:*

21 (a) *An* evaluation of the effectiveness of the respective organizations in
22 aiding victims of domestic violence ~~+~~ *; and*

23 (b) *A report of the administrative expenditures made by the director*
24 *pursuant to subsection 1 of NRS 217.440.*

25 **Sec. 7.** This act becomes effective on July 1, 2001.

